



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------|-------------|----------------------|---------------------|------------------|
| 10/657,372 | 09/08/2003 | Chizuko Ikeda | KON.1820 | 9487 |
| 20311 | 7590 | 12/27/2007 | EXAMINER | |
| LUCAS & MERCANTI, LLP | | | BRINICH, STEPHEN M | |
| 475 PARK AVENUE SOUTH | | | | |
| 15TH FLOOR | | | ART UNIT | PAPER NUMBER |
| NEW YORK, NY 10016 | | | 2625 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 12/27/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10657372 | 9/8/03 | IKEDA ET AL. | KON.1820 |

EXAMINER

Stephen M. Brinich

| | |
|----------|-------|
| ART UNIT | PAPER |
|----------|-------|

2625 20071219

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

| | | |
|------------------------------|--------------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/657,372 | IKEDA ET AL. |
| | Examiner | Art Unit |
| | Stephen M. Brinich | 2625 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-50 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,19,38-44,49 and 50 is/are rejected.
- 7) Claim(s) 2-18,20-37 and 45-48 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/11/05.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 50 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 50 is drawn to functional descriptive material NOT claimed as residing on a computer readable medium.

Claim 50, while defining a computer program, does not define a "computer-readable medium" and is thus non-statutory for that reason. A computer program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to embody the program on "computer-readable medium" (e.g. "a computer-readable medium storing a computer program..") in order to make the claim statutory.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 19, 43-44, & 49-50, insofar as claim 50 is understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Yeomans (EP 0246010).

Re claims 1, 19, & 49-50, insofar as claim 50 is understood, Yeomans discloses (Abstract, Figure 1) an image processing system in which large region signals are generated and stored (low resolution image signal store 3) and detail signals are generated and separately stored (high resolution magnified image signal store 4). These signals are processed (by selector 5) in order to produce an optimized output visual image (on display 1).

Re claims 43-44, Yeomans discloses the use of a minicomputer (2) to control this operation, inherently requiring the presence of a stored program with instructions and data to enable this operation.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yeomans.

Re claims 38-42, Yeomans does not specify whether the storage of image signals and data are in separate files or in a combined file.

The storage of data in a single file or in separate files would be a selection among well-known equivalents. The selection of one of a set of equivalent choices known to one of ordinary skill in the art, where the reasons for the selection of one equivalent rather than another is not to solve an existent problem, has been judicially recognized as an expedient obvious to one of ordinary skill in the art. In re Ruff, 118 USPQ 343 (CCPA 1958).

Allowable Subject Matter

6. Claims 2-18, 20-37, & 45-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Re claim 2 (and dependent claim 3), the art of record does not teach or suggest the recited revised-visual image-referenced processing in conjunction with the recited large region signal and detail signal processing.

Re claim 4 (and dependent claim 3), the art of record does not teach or suggest the recited conversion and provision of visual-image-referenced processing in conjunction with the recited large region signal and detail signal processing.

Re claims 5, 8, 11-12 (and dependent claims 6-7, 9-10, 13-18, 23-36), the art of record does not teach or suggest the recited conversion and provision of visual-image-referenced processing in conjunction with the recited large region signal and detail signal processing.

Re claim 20, the art of record does not teach or suggest the recited combination of a low frequency component and an edge component as a large region signal in conjunction with the recited large region signal and detail signal processing.

Re claim 21, the art of record does not teach or suggest the recited frequency band separation arrangement in conjunction with the recited large region signal and detail signal processing.

Re claim 22, the art of record does not teach or suggest the recited wavelet processing arrangement in conjunction with the recited large region signal and detail signal processing.

Re claim 37, the art of record does not teach or suggest the recited dependence of visual image-referenced data on output device characteristics in conjunction with the recited large region signal and detail signal processing.

Re claim 45 (and dependent claims 46-48), the art of record does not teach or suggest the recited conditional processing of large region and detail signals in conjunction with the recited large region signal and detail signal processing.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Scheurich, Fujimori, and Iwaki disclose examples of high-resolution and low-resolution signal processing.

9. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be

Application/Control
Number: 10/657,372
Art Unit: 2625

Page 7

directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Stephen M Brinich
Examiner
Technology Division 2625

smb
December 20, 2007